

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**THE CITY OF HUNTINGTON,  
Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:17-01362**

**AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
Defendants.**

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**CABELL COUNTY COMMISSION,  
Plaintiff,**

**v.**

**CIVIL ACTION NO. 3:17-01665**

**AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,  
Defendants.**

**PARTIES' JOINT STIPULATION**

The parties represent to the Court that having met and conferred and upon determining that good cause exists for the foregoing, hereby stipulate as follows:

1. Manufacturers and Distributors are required to report all transactions involving Schedule II controlled substances and transactions involving certain Schedule III narcotics to DEA's Automation of Reports and Consolidated Order System ("ARCOS").
2. DEA can and does use ARCOS data to create summary reports showing how many controlled substances were manufactured and distributed throughout the United States.
3. Data from ARCOS has been available to DEA and other federal law-enforcement officials since at least 1996.

4. The data produced by the United States Drug Enforcement Administration (“DEA”) related to the Automated Records and Consolidation Orders System (“ARCOS Data”) reflecting transactions in drug products containing one or more of fourteen drugs: buprenorphine, codeine, dihydrocodeine, fentanyl, hydrocodone, hydromorphone, levorphanol, meperidine, methadone, morphine, powdered opium, oxycodone, oxymorphone, and tapentadol for the period of January 1, 2006 through December 31, 2014 shall be deemed authentic for the purposes of this litigation.

5. This Joint Stipulation does not apply to data compilations, calculations, summaries, or other materials derived from the data referred to in Paragraph 4.

The Clerk is directed to send a copy of this Order to those counsel of record who have registered to receive an electronic NEF.

**IT IS SO ORDERED** this \_\_\_\_ day of May, 2021.

ENTER:

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David A. Faber  
Senior United States District Judge

Dated: May 5, 2021

Respectfully submitted,

**THE CITY OF HUNTINGTON**

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**CERTIFICATE OF SERVICE**

I certify that on May 10, 2021, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ *Anthony J. Majestro*

Anthony J. Majestro (WVSB 5165)